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In the Matter of the Arbitration

- between -

BAILEY SHIPPING LIMITED,

Claimant,

- and -

AMERICAN BUREAU OF SHIPPING,
AMERICAN BUREAU OF SHIPPING
HELLAS, MS. MARTHA C. ADAMS,
MR. IONNIS ARKENAKIS, MR.
CHRISTOS LAMBROU and MR.
PANTELIS KALIPETIS,

Respondents.

Rec'd By: Stacey Workuda
Dept or Branch: Banking Services
Date Rec'd: 3/11/14
Type of Mail Service: ☒ Certified/Overnight
☐ E-Mail
☐ Regular/NO
Forwarded to: _____
Date Forwarded: _____

-----x
SUBPOENA DUCES TECUM

To: Atlantic Bank of New York
387 Park Avenue South
New York, NY 10016

You are hereby commanded to appear in an arbitration proceeding in the
above captioned proceeding to be held at the offices of:

Hill Rivkins LLP
45 Broadway - Suite 1500
New York, NY 10006

on the 17th day of March, 2014 at 12:00 p.m. of said day to testify as to all banking
transactions surrounding and involving the attached Cheque No. 2587195
(hereinafter "Cheque 2587195") including, without limitation, its issuance,
presentation, payment and negotiation or dishonor, and/or cancellation, as well as to
all conversations, communications, notations, or instructions issued by or to Atlantic

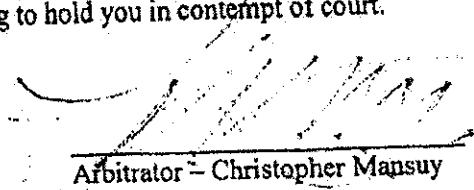
Bank with respect to Cheque 2587195 and to bring with you the following

documents:

1. The original and all copies of the both sides of Cheque 2587195 maintained by Atlantic Bank, including all documents or copies of documents reflecting the negotiation or other disposition of said Cheque 2587195.
2. All documents and/or electronic records reflecting the receipt of Cheque 2587195 by Atlantic Bank.
3. All ledgers, books of entry or similar documents or electronic records evidencing all transfer of \$10,000,000 in payment of Cheque 2587195.
4. All evidence of transfer of \$10,000,000 to the order of Wave Navigation Ltd. and any and all instructions received from the entity depositing Cheque 2587195.
5. All records reflecting transactions in Atlantic Bank account [REDACTED] from August 1, 2007 to September 30, 2007.
6. All correspondence, communications, e-mails, telegrams, telexes, notes of telephone conversations relating to Cheque 2587195.
7. All correspondence, communications, e-mails, telegrams, telexes, notes of telephone conversations relating to Wave Navigation, Ltd., Bailey Shipping Limited, the vessel M/V MAX or the vessel M/V ZAIRA between August 1 and September 30, 2007.

Failure on your part to comply with the foregoing subpoena will result in the filing of a petition pursuant to 9 USC §7 seeking to hold you in contempt of court.

March 7, 2014


Arbitrator – Christopher Mansuy

Arbitrator – William C. Bennett

Chairman – John F. Ryan

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documents:

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March 7, 2014

Arbitrator – Christopher Mansuy


William R. Bennett
Arbitrator – William R. Bennett *for signature*

John F. Ryan
Chairman – John F. Ryan

LENNON, MURPHY, CAULFIELD & PHILLIPS, LLC
Attorneys for Bailey Shipping Limited
420 Lexington Avenue, Suite 300
New York, NY 10170
Tel.: 212-490-6050
E-mail: pfl@lmcplegal.com

HILL RIVKINS LLP
Attorneys for American Bureau of Shipping
45 Broadway, Suite 1500
New York, NY 10006
Tel.: 212-669-0600
E-mail: mwilson@hillrivkins.com

Note: This subpoena is issued at the request of Hill Rivkins LLP, as attorneys for the American Bureau of Shipping. Questions concerning compliance may be directed to Michael D. Wilson, Esq. (212-669-0619) or Caspar F. Ewig, Esq. (212-669-0616) at Hill Rivkins.

NATIONAL BANK OF GREECE		CHECKING 2587195	
PIRAEUS	22 AUG 2007 SHIPPING BR.	196	*****10.000.000,C
place, date	branch	USD CUR.	AMOUNT
Pay to the order of WAVE NAVIGATION LTD			
The sum of U.S. dollars TEN MILLION ONLY**			
 ATLANTIC BANK OF NEW YORK 600 Avenue of the Americas New York, NY 10001 U.S.A.		NATIONAL BANK OF GREECE SHIPPING BRANCH (196) BOULEVARD 2 AND ANTIMACHOU S. Barantopoulos PIRAEUS D. Rapt	

⑈02587195⑈ ⑆026007582⑆



HILL RIVKINS LLP

45 Broadway, Suite 1500, New York, NY 10006-3793

Tel: 212 669-0600 Fax: 212 669-0698/0699

e-mail: thefirm@hillrivkins.com

Website: www.hillrivkins.com

March 10, 2014

By Federal Express

Ms. Laura M. Martini

2nd Vice President, Legal Research Administrator

Banking Services Dept/Legal Research

New York Community Bancorp, Inc.

615 Merrick Avenue

Westbury, NY 11590

Re: Wave Navigation;
Bailey v. American Bureau of Shipping
Our File No. 31263-MDW

Dear Ms. Martini:

We enclose corrected Subpoena Duces Tecum in this action, as you requested. We await your advices on the results of your research and thank you in advance for your courtesy.

Very truly yours,

HILL RIVKINS LLP

A handwritten signature in black ink, appearing to read "Michael D. Wilson", written over the printed name.

Michael D. Wilson

MDW:ds

Enc.

049Martini-ltr

NEW JERSEY

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CALIFORNIA

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e-mail: thefirm@brnlaw.com